IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

MONDAY, THE 22ND OCTOBER 2007 / 30TH ASWINA 1929

Bail Appl..No. 6403 of 2007()

CMP.2514/2007 of J.M.F.C., MANNARKAD

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CRIME NO. 37/2007 OF AGALI EXCISE RANGE

PETITIONER: APPLICANTS/ACCUSED NO.1 AND 2

1. BASHEER, S/O VEERANKUTTY,
THACHAMPARAMBIL VEEDU,
PUNNAKKADU, KARUVARAKUNDU,
MALAPPURAM DISTRICT.

2. SHOUKATHALI, S/O HANEEFA,
OTTUPARA VEEDU, PUNNAKKADU,
KARUVARAKUNDU, MALAPPURAM DISTRICT.

BY ADV. SRI.P.VIJAYA BHANU
SRI.M.REVIKRISHNAN

RESPONDENTS: COMPLAINANT

STATE OF KERALA, REPRESENTED BY THE
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,ERNAKULAM,
REPRESENTING THE EXCISE INSPECTOR OF AGALI
EXCISE RANGE.

BY PUBLIC PROSECUTOR ADV.SRI.JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 22/10/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J

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B.A.No. 6403 of 2007

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Dated this the 22nd day of October, 2007

ORDER

Application for regular bail. Allegations are raised under the provisions of the Kerala Abkari Act. The petitioners were allegedly found to be in possession of 3135 litres of spirit on 25.08.07. The petitioners were arrested on the same day and continue in custody from that date.

2. The learned counsel for the petitioners prays, the learned Public Prosecutor does not oppose the said prayer on condition that the Investigators are granted full complement of 60 days to complete the investigation and I am satisfied that petitioners can be directed to be enlarged on bail subject to appropriate conditions.

3. In the result, this petition is allowed. The petitioners shall be released on bail on the following terms and conditions:

i) The petitioners shall not be released on bail on the strength of this order prior to 25.10.2007. The Investigating Officer shall, in the meantime, make every endeavour to complete the investigation.

ii) They shall execute bonds for Rs.2,00,000/- (Rupees two lakhs only) each with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate.

iii) The petitioners shall make themselves available for interrogation before the investigating officer between 10 a.m and 12 noon on all Mondays, Wednesdays and Fridays, for a period of three months from the date of their release. Thereafter, they shall make themselves available for interrogation as and when directed by the investigating officer in writing to do so.

(R.BASANT, JUDGE)

sj

/TRUE COPY/

P.A.TO JUDGE